

LITTLER MENDELSON
A Professional Corporation
A. Michael Weber (AW-8760)
Attorneys for Defendant Tavern on the Green Limited Partnership
d/b/a Tavern on the Green
885 Third Avenue, 16th Floor
New York, New York 10022.4834
212.583.9600

MEMO ENDORSED *p2*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,</p> <p>Plaintiff,</p> <p>and</p> <p>MARTHA NYAKIM GATKUOTH,</p> <p>Intervenor-Plaintiff</p> <p>-against-</p> <p>TAVERN ON THE GREEN LTD. P'SHIP (D/B/A TAVERN ON THE GREEN),</p> <p>Defendant.</p>	<p><u>EFC CASE</u></p> <p>Civil Action No. 07 CV 8256 (CM) (AJP)</p> <p><u>NOTICE OF MOTION FOR LEAVE TO AMEND</u></p>
--	---

**TO: THE CLERK OF THE ABOVE-ENTITLED COURT, PLAINTIFF
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, ITS ATTORNEY OF RECORD, KAM WONG, ESQ.,
INTERVENOR-PLAINTIFF MARTHA NYAKIM GATKUOTH, AND
HER ATTORNEY OF RECORD, DEREK WOLMAN, ESQ.**

PLEASE TAKE NOTICE that pursuant to Rules 15(a) and 16(b) of the Federal Rules of Civil Procedure, and Local Rule 16.2, Tavern on the Green Limited Partnership, d/b/a Tavern on the Green (hereinafter "Defendant") will and hereby does move the above-captioned Court, returnable at Daniel Patrick Moynihan United States Courthouse,

500 Pearl Street, New York, New York 10007, on a date and time to be set by the Court if oral argument is desired, for an order granting Defendant leave to amend its Answers. Defendant will and hereby does also move for such other and further relief as may be just, proper and equitable.

This Motion is based on Defendant's Memorandum of Law in Support of Motion for Leave to Amend dated March 28, 2008; the Declaration of A. Michael Weber, Esq. dated March 28, 2008, and the exhibits annexed thereto; and on such other and further argument and evidence as the Court deems necessary for the adjudication of this Motion.

Dated: March 28, 2008
New York, New York

LITTLER MENDELSON, P.C.

s/ A. Michael Weber
A. Michael Weber (AW-8760)
Attorneys for Defendant Tavern on the
Green Limited Partnership (d/b/a Tavern
on the Green)

MEMO ENDORSED 4/1/08
*Noting that the limitations period
has not yet expired - see
discovery.*

BY FAX

SO ORDERED:
[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge
*cc: [Signature]
[Signature]*

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: April 15, 2008

Total Number of Pages: 3

TO	FAX NUMBER
Kam Sau Wong, Esq. Margaret A. Malloy, Esq.	212-336-3623
Derek A. Wolman, Esq.	212-949-7052
A. Michael Weber, Esq.	212-832-2719
Mara B. Levin, Esq. David T. Feuerstein, Esq.	212-592-1500
Mark W. Lerner, Esq.	212-506-1800

TRANSCRIPTION:

MEMO ENDORSED 4/15/08

Motion granted with limitations agreed upon at today's conference – see transcript.

Copy to: Judge Colleen McMahon